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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,376	09/29/2003	Peter Dickey	249212023500	6858
25226 7590 09/21/2007 MORRISON & FOERSTER LLP 755 PAGE MILL RD PALO ALTO, CA 94304-1018			EXAMINER LOWE, MICHAEL S	
			ART UNIT 3652	PAPER NUMBER
			MAIL DATE 09/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/675,376	Applicant(s) DICKY ET AL.	
	Examiner M. Scott Lowe	Art Unit 3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 7-18, 22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 7-9 and 22 is/are allowed.
- 6) ☒ Claim(s) 10-18 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/30/07</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-14, 16-18, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano (US 7,100,173) in view of Wanger (US 5,043,962) and Yoshida (US 5,886,853).

Re claim 10, Takano teaches a storage library system 100 (or 600), comprising:
a vertical stationary support member 211 having a first major axis oriented vertically (figure 3,7);
a cartridge transport assembly 200 coupled to the stationary support member and moveable along the first major axis (figure 3,7), the cartridge transport assembly comprising:
a first assembly 220 coupled to the vertical stationary support member 211;
a first actuator (not numbered) coupled to the first carriage and the vertical stationary support member 211 configured to actuate linear movement of the first carriage along the stationary support member;
a second assembly 224 movably coupled to the first assembly;
a second actuator (not numbered, figure 7) engaging the first and second assemblies configured to actuate linear movement of the second assembly along a second axis non-parallel to the first axis;

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a third assembly (230 or 240) movably coupled to the second assembly;
and a cartridge retrieval mechanism 240 coupled to the third assembly.

Takano is silent as to whether the cartridge retrieving mechanism comprises linear movement along a third axis approximately orthogonal to the first major axis and the second axis. Wanger teaches (figure 1) a cartridge retrieving mechanism 22 comprising linear movement along a third axis approximately orthogonal to the first major axis and the second axis in order to securely load and unload a cartridge 30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Takano by Wanger to have the cartridge retrieving mechanism comprises linear movement along a third axis approximately orthogonal to the first major axis and the second axis in order to along the cartridges to be securely loaded and unloaded.

Takano teaches the first actuator operable to actuate linear movement of the first assembly but does not teach the actuator 210 fixed to the first assembly. Yoshida teaches a first actuator 105 fixed to a first assembly 101 in order to keep the actuators together for ease of maintenance. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Takano by the general teaching of Yoshida to have the first actuator fixed to the first assembly in order to keep the actuators together for ease of maintenance.

Re claim 11, Takano teaches a rotary actuator engaging the third carriage (230 or 240) and the cartridge retrieval mechanism configured to actuate rotational movement of the cartridge retrieval mechanism.

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Re claim 12, Takano teaches an extension actuator (not numbered) coupled to the carriage retrieval mechanism (generally 240) configured to extend the cartridge retrieval mechanism to retrieve a cartridge 30 from a storage bin 150 in the storage library system.

Re claim 13, Takano teaches a robotics controller (not numbered) for controlling the first, second, third, rotary, and extension actuators, and the cartridge retrieval mechanism.

Re claim 14, Takano teaches a library controller (not numbered) and an umbilical connection coupling the library controller with the cartridge transport assembly.

Re claim 16, Takano teaches (figures 3,11) an enclosure having a first side wall, an opposing second side wall, and a back wall adjacent to the first and second side walls;

a cavity region between the first side wall, the second side wall, and the back wall, the stationary support member and the cartridge transport assembly being positioned in the cavity region; and

a plurality of storage bins 150 disposed on the first and second sidewalls.

Re claim 17, Takano teaches at least one tape drive 160 positioned on the back wall of the enclosure.

Re claim 18, Takano teaches the vertical support member being positioned approximately vertically.

Re claim 23, Takano teaches the cartridge transport assembly 200 comprising a horizontally disposed tray assembly for supporting the cartridge retrieving mechanism.

Claim 15 is rejected under 35 U.S.C. 103(a) as obvious over Takano (US 7,100,173) in view of Wanger (US 5,043,962) as applied to claim 10, and further in view of Hanaki (US 6,483,204).

Re claim 15, Takano teaches a library controller and an umbilical connection coupling the library controller with the cartridge transport assembly but is silent regarding whether the umbilical connection is a cable and regarding a power supply coupled to the umbilical cable for receiving power at a first voltage, the power supply configured to convert the power at the first voltage to a plurality of different voltages. Hanaki teaches (figures 1,2, columns 11 & 12) it is known to use umbilical cables coupled to a main controller's power supply for receiving power at a first voltage, the power supply configured to convert the power at the first voltage to a plurality of different voltages in order to optimize power distribution. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Takano by Hanaki to use umbilical cables coupled to a main controller's power supply for receiving power at a first voltage, the power supply configured to convert the power at the first voltage to a plurality of different voltages in order to optimize power distribution.

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Conclusion

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

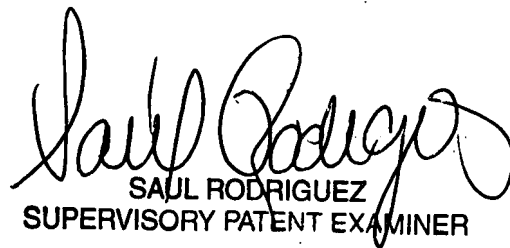
Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Scott Lowe whose telephone number is (571) 272-6929. The examiner can normally be reached on 6:30am-4:30pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodriguez can be reached on (571)272-7097. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

msl 9/10/07
msl



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